

14.02.2022

Sl. 56
Court No.29
suvayan
(rejected)

CRM 1281 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** P.S. Case No. **140 of 2020** dated **16/03/2020** under Sections **498(A)/326/307/34** of the Indian Penal Code and subsequently Section **302** of the Indian Penal Code.

And

In the matter of: Hasanur Sk @ Hasan Sk & Anr.

....petitioners.

Mr. Anisur Rahman

... for the petitioners.

Mr. S. G. Mukherji

Mr. Partha Pratim Das

Mrs. Manasi Roy

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioner No.1 approached the jurisdictional Court and obtained bail. Therefore, the petition is not pressed for the petitioner No.1. The petitioner No.2 was falsely implicated. The police filed charge-sheet.

Learned Advocate appearing for the State draws the attention of the Court to the dying declaration of the victim.

Considering the fact that the dying declaration of the victim names the second petitioner also and considering the gravity of the offence and the involvement of the petitioner therein, we are unable to grant anticipatory bail to the second petitioner.

The application for anticipatory bail, being CRM 1281 of 2021, is rejected for the second petitioner and dismissed as infructuous for the first petitioner.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)